

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

RAUL GONZALEZ §
v. § CIVIL ACTION NO. 6:18cv574
LORIE DAVIS, ET AL. §

ORDER OF PARTIAL DISMISSAL

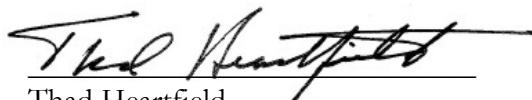
The above-styled and numbered civil action was heretofore referred to United States Magistrate Judge John D. Love. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the court. It is accordingly

ORDERED that the motion to dismiss filed by the Defendants Davis and Navarette (docket no. 21) is **GRANTED**. The claims against these Defendants are **DISMISSED WITH PREJUDICE** for failure to state a claim upon which relief may be granted. It is further

ORDERED that the motion to dismiss filed by the Defendants Pace and Willingham (docket no. 20) is **DENIED**. The Defendants Pace and Willingham shall have 14 days from the date of entry of this order in which to answer the lawsuit or otherwise plead as appropriate. The deadlines set out in the scheduling order previously entered (docket no. 16) shall go into effect upon the filing of the answer. Finally, it is

ORDERED that the Plaintiff's motion to stay and for appointment of counsel (docket no. 31) is **DENIED** at this time, subject to reconsideration in the event it later appears that a stay of the case or appointment of counsel is appropriate.

SIGNED this the 4 day of March, 2020.



Thad Heartfield
Thad Heartfield
United States District Judge